

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SANJAY TRIPATHY,

Plaintiff,

- against -

Feuz, *et al.*,

Defendants.

**NOTICE OF MOTION
TO DISMISS THE COMPLAINT**

21-CV-5349 (VB)

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PLEASE TAKE NOTICE that, upon the Defendants' accompanying Memorandum of Law, dated April 8, 2022, and all pleadings filed and proceedings had herein, Defendants the State of New York, Anthony Annucci, Acting Commissioner of New York State Department of Corrections and Community Supervision (“DOCCS”), Jeff McCoy, DOCCS Deputy of Programs, Brian McCallister, DOCCS SOCTP Director, Edward Burnett, Superintendent of DOCCS’ Fishkill Correctional Facility (“Fishkill”), Jacqueline Reid, Sex Offender Rehabilitation Counselor (“SORC”) at Fishkill, Luis Gonzalez, Assistant Deputy Superintendent of Programs at Fishkill, John Wood, Deputy Superintendent of Programs at Fishkill, Ryan Brotz, SOCTP Psychologist at DOCCS’ Collins Correctional Facility (“Collins”), Michelle Harrington, Director of the New York State Office of Sex Offender Management, Tina Stanford, Chair, New York State Board of Parole, Andrew Cuomo, former Governor of the State of New York, and Kathy Hochul, Governor of the State of New York (collectively, “Defendants”), by their attorney, LETITIA JAMES, Attorney General of the State of New York, will move this Court pursuant to Rule 12(b)(6) and (b)(1) of the Federal Rules of Civil Procedure, on a date to be set by the Court, before the Honorable Vincent Briccetti, United States District Court, at the United States Courthouse, 300 Quarropas Street,

White Plains, New York 10601, for an order dismissing Plaintiff's Complaint, and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, opposition papers, if any, shall be filed by May 9, 2022, and any reply papers, if any, shall be filed by May 23, 2022, or as otherwise ordered by the Court.

Dated: New York, New York

April 8, 2020

LETITIA JAMES
Attorney General of the
State of New York
Attorney for Defendants
By:

/s
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